

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

FEDERAL TRADE COMMISSION,

Plaintiff,

vs.

PHILIP DANIELSON, LLC, *et al.*,

Defendants.

2:14-cv-00896-GMN-VCF

**MINUTE ORDER SETTING SCHEDULING
CONFERENCE**

Before the court is the Joint Motion to Continue Scheduling Conference and Allow Telephone Appearance. (#s 40 and 43). The parties request to continue the hearing and to allow telephonic appearances for all parties. The motion is granted in part and denied in part as discussed below.

Sufficient reason was given to continue the hearing. The hearing will be continued to September 15, 2015. The request for telephonic appearances is granted in part and denied in part for the following reasons.

Analysis:

28 U.S.C. § 1654 provides that “[i]n all courts of the United States the parties may plead and conduct their own cases personally.” *See C.E. Pope Equity Trust v. United States*, 818 F.2d 696, 697 (9th Cir. 1987). Although individuals may represent themselves pursuant to this statute, a corporation as does other business entity is not permitted to appear in Federal Court unless it is represented by counsel. *U.S. v. High Country Broadcasting Co., Inc.*, 3 F.3d 1244, 1245 (9th Cir. 1993). An individual also does not have the right to appear on behalf of anyone other than himself. *Pope*, 818 F.2d at 697. Therefore, individuals Philip J. Danielson, Chad E. VanSickle, and Sean J. Coberly may not appear on

1 behalf of their companies, Philip J. Danielson, LLC, Foundation Business Solutions, LLC, emerchant,
2 LLC, and Acutus Law, P.C.

3 Defendants Philip J. Danielson, LLC, Foundation Business Solutions, LLC, emerchant, LLC,
4 and Acutus Law, P.C. are currently not represented by counsel, thus, their request for telephonic
5 appearances are denied.

6 Accordingly,

7 IT IS HEREBY ORDERED that the hearing scheduled for 10:00 a.m., August 21, 2014 is
8 VACATED and RESCHEDULED to 10:00 a.m. PDT, September 15, 2014, in courtroom 3D.

9 IT IS FURTHER ORDERED that the court grants telephonic appearances only for (1) Plaintiff
10 Federal Trade Commission, (2) Matthew R. Howell, Esq. on behalf of his clients -Defendants Tony D.
11 Norton, Direct Results Solutions, LLC, Strata G Solutions, LLC, and April D. Norton, (3) Matthew
12 Lewis, Esq. on behalf of his clients -Jennifer B. Danielson, and Linden Financial Group, LLC, and (4)
13 Defendant Tanya L. Hawkins. The call-in conference number is 702-464-5626.

14 IT IS FURTHER ORDERED that the telephonic appearances at the 10:00 a.m. PDT, September
15 15, 2014 hearing (in courtroom 3D at the Lloyd D. George U.S. Courthouse, U.S. District Court, 333
16 Las Vegas Blvd., South, Las Vegas, Nevada 89101) are DENIED for Defendants Sean J. Coberly, Philip
17 J. Danielson, Chad E. VanSickle, Philip Danielson, LLC, Foundation Business Solutions, LLC,
18 emerchant, LLC, and Acutus Law, P.C., unless these company defendants enter an appearance by
19 counsel. Any appearances by counsel must be entered by September 8, 2014.

20 IT IS FURTHER ORDERED that Defendants Sean J. Coberly, Philip J. Danielson, and Chad E.
21 VanSickle must appear in person at the hearing.

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1 The clerk of court is directed to mail and email a copy of this Order to the following:

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3 Mathew Lewis, Esq.
4 Ray Quinney & Nebeker, LLC
5 36 South State St., Ste. 1400
6 Salt Lake City, UT 84111

7 Matthew R. Howell, Esq.
8 Fillmore Spener LLC
9 3301 N. University Ave.
10 Provo, UT 84604

11 Phil Danielson at phil.danielson@gmail.com

12 Sean J. Coberly at seancoberly@gmail.com


13 Tanya L. Hawkins at hawkfam23@gmail.com

14 Chad E. Vansickle at chad@vansickles.com

15 IT IS SO ORDERED.

16 Dated this 15th day of August, 2014.

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CAM FERENBACH
UNITED STATES MAGISTRATE JUDGE